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NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

06/30/2008

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CANADA

EXAMINER

TRIEU, VAN THANH

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 06/30/2008

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/569,584 | 02/22/2006 | Douglas H. Blakeway | SMTT 338 | 6635 |

TITLE OF INVENTION: ELECTRONIC LOCATION MONITORING SYSTEM

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|---------------|---------------------|----------------------|------------------|------------|
| nonprovisional | YES | \$720 | \$300 | \$0 | \$1020 | 09/30/2008 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



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| 7590 | 06/30/2008 | | EXAMINER | |
| Anton E. Skaugset Kolisch Hartwell 6592 176th Street Suite 103 Surrey, BC V3S 4G5 CANADA | | | | TRIEU, VAN THANH |
| | | ART UNIT | PAPER NUMBER | |
| | | | | 2612 |
| DATE MAILED: 06/30/2008 | | | | |

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 435 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 435 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

| | | | |
|-------------------------------|------------------------|----------------------|--|
| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/569,584 | BLAKEWAY, DOUGLAS H. | |
| | Examiner | Art Unit | |
| | Van T. Trieu | 2612 | |

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the application filed on 22 February 2006.
2. The allowed claim(s) is/are 1-114.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date See Continuation Sheet
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

Continuation of Attachment(s) 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date: 5/21/08; 2/21/08; 5/4/07; 3/15/06 & 2/22/06.

DETAILED ACTION

EXAMINER'S AMENDMENT

1. The application has been amended as follows: the Abstract filed on 22 February 2006 is a PCT abstract. Therefore, a new abstract is provided herewith in a separate sheet.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance: there are no prior arts teaching or suggesting of an apparatus comprising a first monitoring unit operable to receive signals from a mobile transmitter in an electronic location monitoring system comprising: a proximity signal detector/generator operable to generate a proximity signal in response to proximity of the apparatus or the first monitoring unit relative to a reference position or a second monitoring unit; and a receiver operable to receive signals from the mobile transmitter, the receiver having a signal reception threshold responsive to the proximity signal, such that the receiver rejects signals from the mobile transmitter that have a signal strength below the signal reception threshold and receives signals from the mobile transmitter that have a signal strength above the signal reception threshold.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jeong et al discloses a method and a system are disclosed for controlling a pilot measurement request order for a soft swap handoff in a code division multiple access system. A preferred embodiment of the present invention comprises the steps of perceiving by a mobile station which is currently in communication with a first base transceiver station (BTS) a pilot signal strength which is above a predetermined threshold value, wherein the pilot signal is from a second BTS which is not currently in communication with the mobile station, reporting pilot signal strengths of the first BTS and of the second BTS through a pilot strength measurement message (PSMM) from the mobile station to a base station controller (BSC) if the mobile station perceives a pilot signal strength which is above a predetermined threshold value, informing the mobile station of reception of PSMM in order to prevent the mobile station from reporting unnecessary PSMM, checking whether the second BTS is corresponding to neighboring BTSs of the first BTS, ordering the mobile station to perform handoff, if the second BTS is corresponding to neighboring BTS, transmitting a pilot measurement request order (PMRO) from the BSC to the mobile station if the second BTS is not corresponding to neighboring BTS and reporting the strengths of all pilot signal receivable from BTSs through a pilot strength measurement message (PSMM) to the

BSC after the mobile station waits for a predetermined action time upon reception of the PMRO. [US 6,195,525]

Ranta et al disclose a method for establishing a local communication connection between a terminal of a cellular radio system comprising the step of identifying a radio channel comprises the sub-steps of: picking a radio channel from a predefined set of radio channels available for radio communication between the terminal and a base station in the cell where the terminal is currently residing, measuring the power received on the picked radio channel and comparing the measured power to a predetermined threshold value, and as mutually alternative options, accepting the picked radio channel as the radio channel to be identified if the measured power is found to be lower than the predetermined threshold value, or rejecting the picked radio channel and picking another radio channel if the measured power is found to be higher than the predetermined threshold value. [US 6,775,558]

Masuda et al discloses a wireless communication restriction device for making wireless communications between a base station and a mobile terminal impossible to use in a specific space, the wireless communication restriction device comprising: a receiver for receiving radio waves transmitted from said base station for at least one mobile terminal, a processor for seeking a pilot signal out of the received radio waves, a pseudo pilot signal generator for generating pseudo pilot signals having a different timing from the timing of the pilot signal and means for emitting radio waves carrying pseudo pilot signals thereby disabling the mobile terminal from communication with the base station. [US 6,987,978]

4. Any inquiry concerning this communication or earlier communications from examiner should be directed to primary examiner **Van Trieu** whose telephone number is (571) 272-2972. The examiner can normally be reached on Mon-Fri from 8:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mr. Daniel Wu** can be reached on (571) 272-2964.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Van T. Trieu/

Primary Examiner, Art Unit 2612

Date: 05/28/2008

ABSTRACT (new)

A method and apparatus for operating a monitoring unit operable to receive signals from a mobile transmitter in an electronic location monitoring system involves causing a first receiver to change a signal reception threshold thereof for receiving signals from the mobile transmitter, in response to proximity of the monitoring unit relative to a reference position whereby the receiver rejects signals received from the mobile transmitter that have a signal strength below the signal reception threshold and receives and processes signals received from the mobile transmitter that have a signal strength above the signal reception threshold. Alternatively, detection of a first monitoring unit in proximity to a second monitoring unit may cause the second monitoring unit to take over receiving signals from the mobile transmitter while the first monitoring unit is put into a low power mode.